

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TERRY R. HAWES,  
Plaintiff,

v.

STATE OF CALIFORNIA,  
Defendant.

Case No. [17-cv-01168-WHO](#) (PR)

**ORDER OF DISMISSAL**

Dkt. No. 6

Plaintiff Terry Hawes has not complied with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$400.00. The IFP application does not contain a Certificate of Funds signed by an authorized prison officer. The one filed is blank. Accordingly, this federal civil rights action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Hawes may move to reopen the action. Any such motion **must** contain a properly completed certificate of funds, **or** full payment for the \$400.00 filing fee.

Hawes's IFP application (Dkt. No. 6) is DENIED as insufficient.

The Clerk shall terminate Docket No. 6, enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

**Dated:** May 11, 2017

  
WILLIAM H. ORRICK  
United States District Judge